

REMARKS

Claims 25, 27-28, 31-32, 34, 36-38 and 41-55 are pending in the present application. Claims 52-55 are added. Claims 25, 31, 36, 41, 44 and 52 are independent.

The claims have been amended to clarify the invention and to correct minor informalities according to U.S. patent practice. These modifications do not add new matter and are fully supported by the original disclosure, for example, Figures 6 and 7 and the corresponding description in the specification as filed.

Interview Requested

This is an official request to conduct a personal interview with the Examiner. Please contact the undersigned to schedule the interview, prior to acting on this case.

35 U.S.C. § 102(e) and § 103 Rejection

Claims 25, 36, 37, 41, 42, 44 and 45 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Shin (U.S. 6,529,458). Claims 26-28, 31, 32, 34, 38, 43 and 46-51 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shin (U.S. 6,529,458) in view of Takahashi (U.S. 7,002,882). These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

Independent claim 25 recites, *inter alia*, “recording a first access pointer and a second access pointer in the defect management area, the first access pointer indicating a position of the defect management information recorded in the first part and the second access pointer indicating a position of the defect management information recorded in the second part”. These features are illustrated as an example in Fig. 6 of the present application. Other independent claims recite similar features in a varying scope.

These features are neither taught nor suggested by the applied art. For example, first Shin does not have first and second parts of the defect management area, which are separately designated for defect management of a recording operation and a reproducing operation, respectively. Further, Shin does not teach or suggest recording first and second access pointers

for respectively indicating a position of the defect management information recorded in the first and second parts, as recited in the claims. Further, Takahashi does not overcome these deficiencies of Shin.

Accordingly, independent claims 25, 31, 36, 41 and 44 and their dependent claims (due to their dependency) are patentable over the applied art, and reconsideration and withdrawal the rejections based on these reasons are respectfully traversed.

CONCLUSION

For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and an early issuance of a Notice of Allowance is respectfully requested.

Should there be any matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

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Respectfully submitted,

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